FARAD CONTINUTION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
Contempt Petn no. l0 of 2003

Office Notes,Office Memorandum of Coram appearence,Court's Orders & Directors and Registrar's Order	Court or Judge's Order

Mr N V Bandiwadekar for petitioner
Mr A.G.Palekar AGP for State

CORAM; A.M.KHANWILKAR J.

DATED 4.5.2006

P.C.

. Heard parties. . The grievance in this petition is about the wilfull disobedience of the directions given by the division bench of this court in terms of order dated 2l.l2.l999 passed in W.P.No.5465 of l999. In the first place, I have my own doubt about the maintainability of the petition,being barred by limitation. The direction required the respondent to take certain steps within the specified time mentioned in the order under reference. That lapse was committed by the respondent as far back as in l999 whereas the present petition has

been filed on 25.ll.2002.

. Even assuming that the petition is within limitation, after considering the documents on record I am satisfied that the explanation offered by the respondents that the respondents have substantially complied with the directions contained in the order under reference. That is so because the order came to be passed by the appropriate authority on l0/l6th February 2000; fair reading of which would indicate that the grant in aid facility was to be extended to the petitioner as claimed by them. This position was reiterated by the respondent in another communication dated 24.l2.200l. It is therefore not a case where no decision has been taken by the Government or for that matter wilfull disobedience of the directions of the court. Hence this petition will have to be dismissed. It is made clear that the petitioners, if aggrieved by the decision taken by the respondents may take recourse to

the appropriate remedy as may be advised and permissible in law.